



## MEMO ENDORSED

March 13, 2020

**VIA ECF**

Honorable Barbara Moses  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Application GRANTED. The motions for attorneys' fees at Dkt. Nos. 112 and 141 are DENIED as MOOT. SO ORDERED.

Barbara Moses, U.S.M.J.  
March 16, 2020

**Re: *Charlestown Capital Advisors, LLC v. Acero Junction, Inc., et al.*,  
No. 18-cv-04437 (JGK)**

Dear Judge Moses:

Pursuant to the Court's March 2, 2020 Order (ECF No. 142), Plaintiff Charlestown Capital Advisors, LLC ("Charlestown") and Defendants JSM International Limited ("JSM"), Acero Junction Holdings, Inc and Acero Junction, Inc. respectfully submit this joint letter to update Your Honor as to the status of the pending motions for attorneys' fees, filed in the above-captioned case by Charlestown on November 7, 2019 (ECF No. 112), and by JSM on February 28, 2020 (ECF No. 141). The Parties have conferred and Charlestown and JSM have each agreed to withdraw their respective motions for attorneys' fees, and respectfully request that the Court enter an order dismissing the pending motions as moot and grant no fees associated with the Court's Orders, dated October 24, 2019 (ECF No. 111) and February 14, 2020 (ECF No. 140). Additionally, in light of JSM's agreement to withdraw its fee application, Charlestown will not file a response to JSM's motion for attorneys' fees at this time,<sup>1</sup> but reserves the right to do so if JSM's fee application is not deemed withdrawn in whole.

<sup>1</sup> The Court ordered Charlestown to respond to JSM's motion for attorneys' fees by March 13 in the event an agreement could not be reached between the parties. (ECF No. 142.)



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The parties' agreement to withdraw their respective fee applications is unrelated to Charlestown's motion for spoliation sanctions (ECF No. 124), which is scheduled to be argued before Your Honor on April 28, 2020. Finally, each Party expressly reserves all rights to seek (or oppose) relief other than that specifically called for in the fee applications.

Respectfully Submitted,

/s/Samuel Lonergan  
Samuel Lonergan

Cc: Michael Mangan, Esq. *via ecf*  
Michael Roberts, Esq. *via ecf*